

**In the Claims:**

1. (Original) A rewriting device for rewriting data stored in a memory of a vehicle controller:

the rewriting device capable of communicating with the vehicle controller and configured to determine that communication between the rewriting device and the vehicle controller is offline when no response is received from the vehicle controller within a first determination time;

wherein, when deleting operation of the data is being performed, the rewriting device is configured to prohibit the determination of offline until a second determination time elapses, the second determination time being greater than the first determination time.

2. (Original) The rewriting device of claim 1, further configured to determine that the communication is offline if no response is received from the vehicle controller within the second determination time.

3. (Original) The rewriting device of claim 1, wherein the second determination time is the time necessary to delete the data stored in the memory.

4. (Original) The rewriting device of claim 3, further configured to acquire the deleting time from the vehicle controller prior to the deleting operation of the data, and to set the acquired deleting time in the second determination time; and

wherein, when the deleting operation is being performed, the determination of offline is prohibited until the second determination time that is set according to the deleting time elapses.

5. (Original) The rewriting device of claim 1, further configured to send no message to the vehicle controller until the first determination time elapses from the time at which a request for the result of the deleting operation is sent to the vehicle controller.

6. (Original) The rewriting device of claim 3, wherein the deleting time is calculated based on the size of the data and the specification of the memory.

7. (Original) A rewriting device for rewriting data stored in a memory of a vehicle controller with new data:

the rewriting device capable of communicating with the vehicle controller and configured to determine that communication between the rewriting device and the vehicle controller is offline when no response is received from the vehicle controller within a first determination time; and

wherein, when writing operation of the new data is being performed, the rewriting device is configured to prohibit the determination of offline until a second determination time elapses, the second determination time being greater than the first determination time.

8. (Original) The rewriting device of claim 7, further configured to determine that the communication is offline if no response is received from the vehicle controller within the second determination time.

9. (Original) The rewriting device of claim 7, wherein the second determination time is the time necessary to write the new data into the memory.

10. (Original) The rewriting device of claim 9, further configured to acquire the writing time from the vehicle controller prior to the writing operation of the new data, and to set the acquired writing time in the second determination time; and

wherein, when the writing operation is being performed, the determination of offline is prohibited until the second determination time that is set according to the writing time elapses.

11. (Original) The rewriting device of claim 7, further configured to send no message to the vehicle controller until the first determination time elapses from the time at which a request for the result of the writing operation is sent to the vehicle controller.

12. (Original) The rewriting device of claim 9, wherein the writing time is calculated based on the size of the new data and the specification of the memory.

13. (Previously Presented) A rewriting system for rewriting data stored in a memory of a vehicle controller with new data, the system comprising:

a rewriting device capable of communicating with the vehicle controller, the rewriting device configured to determine that communication between the rewriting device and the vehicle controller is offline if no response is received from the vehicle controller within a first determination time; and

wherein, when deleting or writing operation on the memory is being performed, the determination of offline is prohibited until a second determination time elapses, the second determination time being greater than the first determination time.

14. (Original) The rewriting system of claim 13, wherein the rewriting device is further configured to determine that the communication is offline if no response is received from the vehicle controller until the second determination time elapses.

15. (Original) The rewriting system of claim 13, wherein the second determination time for deleting operation is the time necessary to delete the data stored in the memory and the second determination time for writing operation is the time necessary to write the new data into the memory.

16. (Original) The rewriting system of claim 15, wherein the vehicle controller is configured to calculate the deleting time necessary to delete the data in the memory; and  
wherein the deleting time is sent from the vehicle controller to the rewriting device.

17. (Original) The rewriting system of claim 15, wherein the vehicle controller is configured to calculate the writing time necessary to write the new data into the memory; and

wherein the writing time is sent from the vehicle controller to the rewriting device.

18. (Original) The rewriting system of claim 15, wherein the deleting time and writing time are calculated in accordance with the specification of the memory.

19. (Original) The rewriting system of claim 14, wherein the memory includes a non-volatile memory.

20. (Original) A method for rewriting data stored in a memory of a vehicle controller, the method comprising:

- sending a request asking the vehicle controller to delete the data in the memory;
- starting operation for deleting the data stored in the memory;
- determining that communication with the vehicle controller is offline if there is no response from the vehicle controller within a determination time; and
- wherein the determination time is greater than a reference time for the determination of offline when deleting operation is not being performed in the vehicle controller.

21. (Original) The method of claim 20, further comprising:

- calculating the time necessary to delete the data in the memory; and
- setting the deleting time in the determination time.

22. (Original) A method for rewriting data stored in a memory of a vehicle controller with new data, the method comprising:

- sending a request asking the vehicle controller to write the new data into the memory;
- starting operation for writing the new data into the memory;
- determining that communication with the vehicle controller is offline if there is no response from the vehicle controller within a determination time; and

wherein the determination time is greater than a reference time for the determination of offline when writing operation is not being performed in the vehicle controller.

23. (Original) The method of claim 22, further comprising:

calculating the time necessary to write the new data stored in the memory; and  
setting the writing time in the determination time.

24.(Previously Presented) The rewriting device of claim 3, further configured to:

calculate the deleting time prior to the deleting operation of the data; and  
set the calculated deleting time in the second determination time.

25. (Previously Presented) The rewriting device of claim 9, further configured to:

calculate the writing time prior to the writing operation of the new data; and  
set the calculated writing time in the second determination time.

26. (Previously Presented) The rewriting system of claim 15, wherein the rewriting device is further configured to:

calculate the deleting time and set the deleting time in the second determination time when the deleting operation is performed; and

calculate the writing time and set the writing time in the second determination time when the writing operation is performed.

27. (Currently Amended) A rewriting device for rewriting data stored in a non-volatile memory of a vehicle controller;

the rewriting device capable of communicating with the vehicle controller and configured to determine that communication between the rewriting device and the vehicle controller is offline when no response to a request transmitted by the rewriting device is received from the vehicle controller within a first determination time from the transmission of time at which the rewriting device transmits to the vehicle controller the a request for a deleting operation of the data;

wherein, when the deleting operation of the data is being performed, the rewriting device is configured to prohibit the determination of offline until a second determination time elapses from the ~~transmission of~~ time at which the rewriting device transmits to the vehicle controller the a request for a result of the deleting operation, the second determination time being greater than the first determination time.

28. (Currently Amended) A rewriting device for rewriting data stored in a non-volatile memory of a vehicle controller with new data;

the rewriting device capable of communicating with the vehicle controller and configured to determine that communication between the rewriting device and the vehicle controller is offline when no response ~~to a request transmitted by the rewriting device~~ is received from the vehicle controller within a first determination time from the ~~transmission of~~ time at which the rewriting device transmits to the vehicle controller the a request for a writing operation of new data; and

wherein, when the writing operation of the new data is being performed, the rewriting device is configured to prohibit the determination of offline until a second determination time elapses from the ~~transmission of~~ time at which the rewriting device transmits to the vehicle controller the a request for a result of the writing operation, the second determination time being greater than the first determination time.

29. (Previously Presented) A rewriting device for rewriting data stored in a memory of a vehicle controller, the rewriting device comprising;

a means for communicating with the vehicle controller and configured to determine that communication between the rewriting device and the vehicle controller is offline when no response is received from the vehicle controller within a first determination time;

wherein, when a deleting operation of the data is being performed, the rewriting device is configured to prohibit the determination of offline until a second determination time elapses, the second determination time being greater than the first determination time.